

Section 1924 Provisions

- A. Income and resource eligibility policies used to determine eligibility for institutionalized individuals who have spouses living in the community are consistent with 1924.
- B. In the determination of resource eligibility the State resource standard is \$12,000, but increases yearly by the CPI as required under section 1924 of the Act.
- C. The definition of undue hardship for purposes of determining if the institutionalized spouses receive Medicaid in spite of having excess countable resources is described below:

Spousal assets exceeding the spouse's assessed share may be declared unavailable to the client if:

- 1. The client's spouse refuses to make the assets available.

AND

- 2. Counting the spouse's assets as available to the institutionalized client causes the client to exceed the asset limit.

AND

The client is not able to complete the ORS Form 048.

AND

- 4. Without Medicaid coverage for institutional care, the client will not be able to get the medical care needed.

AND

- 5. The client is at risk of permanent disability without institutional care. This must be verified by a physician's statement.

4164J/100

11/89

T.N. # 90-03
Supersedes
T.N. # NEW

Approval Date 1/11/90 Effective Date 10/1/89